

HOUSE BILL No. 1572

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-5.

Synopsis: Public safety officer leave of absence. Revises the law concerning employees who leave their positions temporarily to receive military training as members of the reserve armed forces. Provides that an employer is required to restore an employee to the same position or a similar position at the same status and pay if the employee leaves the position for not more than 15 "working days" (as opposed to "15 days" under current law). Defines a "working day" as eight hours of paid time.

Effective: July 1, 2001.

Dobis, Mahern

January 11, 2001, read first time and referred to Committee on Labor and Employment.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1572

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-5-8-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 1. **(a) As used in this section,**
3 **"working day" means eight (8) hours of paid time.**

4 **(b)** Any person who is a duly qualified member of the reserve
5 components of the armed forces, who is a member of the Ready
6 Reserve, who is a member of an organized unit, and who, in order to
7 receive military training with the armed forces of the United States not
8 to exceed fifteen (15) **working** days in any one (1) calendar year,
9 leaves a position other than a temporary position in the employ of any
10 employer, and who shall give evidence defining date of departure and
11 date of return for purposes of military training ninety (90) days prior to
12 the date of departure and who shall further give evidence of the
13 satisfactory completion of such training immediately thereafter, and
14 who is still qualified to perform the duties of such position, shall be
15 entitled to be restored to ~~his~~ **the employee's** previous **position** or a
16 similar position with the same status and pay: Provided, That seniority
17 shall continue to accrue during such period of absence, and such period

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1 of absence for military training shall be construed as an absence with
2 leave and, within the discretion of the employer, said leave may be with
3 or without pay.

4 SECTION 2. IC 10-5-9-1 IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2001]: Sec. 1. **(a) As used in this section,**
6 **"working day" means eight (8) hours of paid time.**

7 **(b)** Any person who, as a reserve member of the armed forces of the
8 United States, is called upon to receive temporary military training,
9 shall be entitled to a temporary leave of absence from ~~his~~ **the person's**
10 employer, not to exceed fifteen (15) **working** days in any one (1)
11 calendar year: Provided, That such person is required to provide ~~his~~ **the**
12 employer with evidence of the dates of ~~his~~ **the person's** departure and
13 return as soon as practicable prior to ~~his~~ **the person's** departure, and
14 shall be required to furnish ~~his~~ **the** employer, upon ~~his~~ **the person's**
15 return, evidence of ~~his~~ **the person's** satisfactory completion of such
16 training. Upon ~~his~~ return, such person shall be restored to ~~his~~ **the**
17 **person's** previous **position** or **to a** similar position, with the same
18 status as ~~he~~ **the person** held before leaving for ~~his~~ **the person's**
19 training period. Such leaves may be granted with or without pay, within
20 the discretion of the employer. Any temporary leave of absence so
21 granted shall not affect the rights of the person to vacation leave, sick
22 leave, or other normal benefits of ~~his~~ **the person's** employment.

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